

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FOURTH AMENDMENT TO AGREEMENT NO. 35394

35394

THIS FOURTH AMENDMENT TO AGREEMENT NO. 35394 is made and entered, as of May 17, 2023, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on August 20, 2019, by and between ARDURRA GROUP, INC. dba ANDERSONPENNAPARTNERS, a Florida corporation ("Consultant"), with a place of business at 4921 Memorial Highway, Suite 300, Tampa, Florida 33634, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35394 (the "Agreement") whereby Consultant agreed to provide as-needed, on-call consulting services for street design projects in an amount not to exceed One Million Dollars (\$1,000,000) for a period of three (3) years with the option to extend for two (2) additional one-year periods, at the discretion of the City Manager; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to add One Million Dollars (\$1,000,000) for a total not to exceed amount of Two Million Dollars (\$2,000,000); and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to add Five Million Dollars (\$5,000,000) for a total not to exceed amount of Seven Million Dollars (\$7,000,000); and

WHEREAS, the Parties entered into a Third Amendment to extend the term to September 30, 2023, attach an updated rate sheet, and update the City Representative; and

WHEREAS, the Parties desire to extend the term of the Agreement by using the final one-year extension option, and attach an updated rate sheet;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions herein contained, the Parties agree as follows:

1. Section 2 of the Agreement is hereby amended to read as follows:
2. TERM. The term of this Agreement shall commence at midnight on

OFFICE OF THE CITY ATTORNEY
DAWN MCINTOSH, City Attorney
411 West Ocean Boulevard, 9th Floor
Long Beach, CA 90802-4664

1 October 1, 2019, and shall terminate at 11:59 p.m. on September 30, 2024, unless sooner
2 terminated as provided in this Agreement, or unless the services or the Project is
3 completed sooner."

4 2. The Rates in Exhibit "B-1" of the Third Amendment to the Agreement
5 are hereby amended in accordance with Exhibit "B-2", attached hereto and incorporated
6 by this reference.

7 3. Except as expressly modified herein, all of the terms and conditions
8 contained in Agreement No. 35394 are ratified and confirmed and shall remain in full force
9 and effect.

10 IN WITNESS WHEREOF, the Parties have caused this document to be duly
11 executed with all formalities required by law as of the date first stated above.

12 ARDURRA GROUP, INC. dba
13 ANDERSONPENNA PARTNERS, a Florida
14 corporation

15 _____, May 24, 2023
16 By *Gregory Fuzzo*
17 Name Gregory Fuzzo
18 Title Vice President

19 _____, May 24, 2023
20 By *Lisa M. Penna*
21 Name LISA M. PENNA
22 Title VICE PRESIDENT

23 EXECUTED PURSUANT
24 TO SECTION 301 OF
25 THE CITY CHARTER. "Consultant"
26 CITY OF LONG BEACH, a municipal
27 corporation

28 _____, July 13, 2023
By *Sandra J. Tatum*
City Manager

"City"

This Fourth Amendment to Agreement No. 35394 is approved as to form on
June 20, 2023.

DAWN MCINTOSH, City Attorney
By *[Signature]*
Deputy

Exhibit B-2

Rates or Charges Update

Ardurra Group, Inc.
As Needed Street Design

September 30, 2023 to October 1, 2024 Standard Billing Rate Schedule

Public Works West

Engineering Services

Staff	Hourly Rate
Principal	\$320
QA/QC Manager	\$280
Project Manager IV	\$280
Project Manager III	\$240
Project Manager II	\$220
Project Manager I	\$200
Project Engineer IV	\$200
Project Engineer III	\$180
Project Engineer II	\$160
Project Engineer I	\$145
Project Designer III*	\$190
Project Designer II*	\$160
Project Designer I*	\$130
CADD Drafter III*	\$145
CADD Drafter II*	\$125
CADD Drafter I*	\$110
Public Works Technician I*	\$110
Administrative Assistant	\$120

Municipal Services

Staff	Hourly Rate
Principal	\$320
Project Exec./Management Consultant	\$280
Senior Program Manager	\$240
Program Manager	\$220
Project Manager III	\$240
Project Manager II	\$220
Project Manager I	\$200
Plan Check Engineer IV	\$210
Plan Check Engineer III	\$185
Plan Check Engineer II	\$170
Plan Check Engineer I	\$150
Public Works Technician III*	\$140
Public Works Technician II*	\$120
Public Works Technician I*	\$100
Senior Code Enforcement Officer/Mgr*	\$120
Code Enforcement Officer II*	\$90
Code Enforcement Officer I*	\$80

* Positions noted with an asterisk are subject to overtime rates billed at 1.5 times regular rates for all time over 8 hours in a single day or work performed on Saturday; and double time rates for work performed on Sundays and Holidays.

Other Direct Costs: Reimbursement of identifiable non-salary costs that are directly attributable to the project such as oversized and/or color reproduction costs, overnight postage or couriers, etc., are billed at actual cost . Mileage required for travel are billed at the allowable IRS mileage reimbursement rate.

Fees for subconsultant services: Billed at actual cost

Exclusions to Scope and Fee: The following items are specifically excluded:

- Legal advice
- Specialized software (other than MS Office Suite and MS Project)
- Expert witness services